

Docket No 40306/AJ/lp

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**Applicants** : Michele RUBERTELLI et al  
**Ser. No.** : 10/533,455  
**Filed** : 05/02/2005  
**For** : POSITIVE IDENTIFICATION DEVICE, ...  
**Group A. U.** : Still unknown  
**Examiner** : Still unknown

**Mail Stop P.C.T. (MISSING REQUIREMENTS)**

Assistant Commissioner for Patents

P.O. Box 1450 Alexandria VA 22313-1450 U.S.A.

**Att. to: Ms. Francine YOUNG**

Madam,

**RESPONSE TO "NOTIFICATION OF MISSING REQUIREMENTS UNDER**  
**35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE**  
**(DO/EO/US)"**

10/26/2005 HKAYPAGH 00000127 133860 10533455

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with reference to the above-identified Application, and in reply to "NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)" of September 19, 2005, Applicants herewith submit, for completion of the requirements for acceptance under 35 U.S.C. 371:

-- fresh Oath or Declaration of the Inventors identifying the citizenship of each inventor.


Authorization is hereby given for the surcharge of US\$ 65.= required for late submission of the filing requirements, to be charged to **deposit account No. 13-3860** of the firm MODIANO & ASSOCIATI.

**However, Agent for Applicant hereby expressly tenders any further amount which might be due and this is an authorization to charge such amount to Deposit Account No. 13-3860 of the firm MODIANO & ASSOCIATI.**

Please also find herewith enclosed copy of the "NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)" to be returned with the reply.

A duplicate copy of the present communication is being enclosed.

Respectfully submitted



Albert JOSIF

(Reg. No. 22,917)

**Agent for the Applicants**  
MODIANO & ASSOCIATI  
Via Meravigli, 16  
20123 MILANO – ITALY  
Phone: (+3902) 85.90.77.77

**Milan, Italy – October 17, 2005**



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/533,455	Michele Rubertelli	40306/GM/lp

INTERNATIONAL APPLICATION NO.
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PCT/EP03/11823

I.A. FILING DATE	PRIORITY DATE
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10/24/2003

11/05/2002

Modiano & Associati  
 Via Meravigli 16  
 20123 Milano  
 Italy,  
 ITALY

CONFIRMATION NO. 4066

371 FORMALITIES LETTER



\*OC000000017049842\*

Date Mailed: 09/19/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 05/02/2005
- Copy of the International Search Report filed on 05/02/2005
- Preliminary Amendments filed on 05/02/2005
- Information Disclosure Statements filed on 05/02/2005
- Oath or Declaration filed on 05/02/2005
- Request for Immediate Examination filed on 05/02/2005
- U.S. Basic National Fees filed on 05/02/2005
- Priority Documents filed on 05/02/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - does not identify the citizenship of each inventor.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

FRANCINE YOUNG

Telephone: (703) 308-9140 EXT 215

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/533,455	PCT/EP03/11823	40306/GM/lp